

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
ZONING VARIANCE *
NW/S Dimely Court, 400 ft. NWly * ZONING COMMISSIONER
Cunning Circle *
10 Dimely Court * OF BALTIMORE COUNTY
15th Election District *
6th Councilmanic District * Case No. 97-307-A
Raymond E. Graf, et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Raymond E. Graf and Mary T. Graf, his wife, for that property known as 10 Dimely Court in the Bay Country subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Sections 1B01.2.C.1 and 1B01.2.C.6 of the Baltimore County Zoning Regulations (BCZR) and V.B.3 of the Comprehensive Manual Development Policy (CMDP) to allow a building separation of 17 ft., in lieu of the required 30 ft., for facing elevation of 25 and 30 ft., for an addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

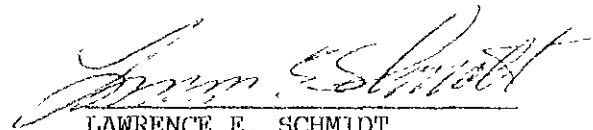
ORDER RECEIVED FOR FILING
Date 2/24/97
By M. Graf

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this *24th* day of February, 1997 that the Petition for a Zoning Variance from Sections 1B01.2.C.1 and 1B01.2.C.6 of the Baltimore County Zoning Regulations (BCZR) and V.B.3 of the Comprehensive Manual Development Policy (CMDP) to allow a building separation of 17 ft., in lieu of the required 30 ft., for facing elevation of 25 and 30 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 21, 1997

Mr. and Mrs. Raymond E. Graf
10 Dimely Court
Baltimore, Maryland 21220

RE: Petition for Administrative Variance
Case No. 97-293-A
Property: 10 Dimely Court

Dear Mr. and Mrs. Graf:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10 Dimely Court
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B01.2.C.1 (1970 Reg) and 1B01.2.C.6 (V.B.3 and HOP) to allow a building separation of 17' in lieu of the Reg. and 30' for facing elevation of 25' 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. This is the only way to build on so entry ways are possible.
2. Having growing children we need more living space.
3. Due to finances this is the only way to get more room.
4. There are other houses in the area like this, that's how we got the idea for the family room.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

Raymond Edward Graf
(Type or Print Name)

Raymond E. Graf
Signature

Mary T. Graf
(Type or Print Name)

Mary T. Graf
Signature

10 Dimely Ct (410) 555-1723
Address Phone No

Baltimore MD 21220
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: CAM

DATE: 2/2/97

ESTIMATED POSTING DATE: 2/2/97

Printed with Soybean Ink
on Recycled Paper

ITEM #: 301

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 10 Dimely Ct.
address
Baltimore MD 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

- ① Due to the shape of the yard this is the only way to put on an addition with proper entrances from both inside and outside. We have a small home, two children. One that's a teenager. It's difficult with the children when they have friends over.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Raymond E Graf
(signature)
Raymond E Graf
(type or print name)



Mary T. Graf
(signature)
Mary T. Graf
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of Jan, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/23/97
date

George E. Dutton
NOTARY PUBLIC

My Commission Expires:

GEORGE E. DUTTON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires Jan 2000

January 17, 1997

Zoning description for 10 Dimely Ct

Beginning at a point on a ^{West}~~South~~ side of
Dimely Ct which is ³⁰~~31~~ ft. wide at the
distance of 400 ft. ^{West}~~North~~ of the centerline
of the nearest improved intersection street
Cunning Cir. which is ⁵⁰~~90~~ ft. wide. *Being lot #32,
Block G, Section #~~D.R.~~ 2 in the subdivision of
^{Cunninghill Cove}~~Bay Country~~ as recorded in Baltimore County Plat
Book # 45, Folio #145, containing 0.1440 Acres.
Also known as 10 Dimely Ct and located in the
15th Election District, C Councilmanic District.

ALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

032352

DATE

5-17-97

ACCOUNT

R-CC1 6152

301

CAN

AMOUNT

\$

50.00

RECEIVED
FROM:

3227

FOR:

10 D. Mels Ct

VAR

03A91#0247NICHRC

B9 COLL:55AMD1-24-97

\$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 307

Petitioner: Raymond & Mary Graf

Location: #10 Dimely Ct

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Raymond E. Graf

ADDRESS: 10 Dimely Ct.
Balto. Md. 21220

PHONE NUMBER: (410) 335-1793

AJ:ggs

(Revised 09/24/96)

MISS

CERTIFICATE OF POSTING

RE: Case No.: 97-307-A

Petitioner/Developer: _____

Raymond GEAR

Date of Hearing/Closing: 2-18-97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 7110 DIMELEY COURT

BALTIMORE, MARYLAND 21220

The sign(s) were posted on FEB 1, 1997
(Month, Day, Year)

Sincerely,

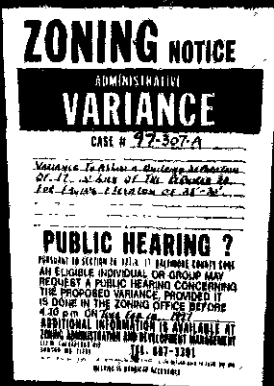
Thomas P. Oyle Sr.
(Signature of Sign Poster and Date)

THOMAS P. Oyle Sr.
(Printed Name)

325 NICHOLSON ROAD
(Address)

BALTIMORE, MARYLAND 21221
(City, State, Zip Code)

(410) 687-8405
(Telephone Number)



97-307-A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 2 Feb 97.

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-307-A

Variance from ~~30'~~ to Allow A building Separation
of 17' in lieu of the Required 30' for facing
elevations of 25'-30'

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

18 Feb 97

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 3, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-307-A (Item 307)
10 Dimely Court
NW/S Dimely Court, 400' NWly Cuning Circle
15th Election District - 6th Councilmanic
Legal Owner(s): Raymond Edward Graf and Mary T. Graf
Post by Date: 2/2/97
Closing Date: 2/18/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Raymond and Mary Graf



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 14, 1997

Mr. and Mrs. Raymon Graf
10 Dimely Court
Baltimore, MD 21220

RE: Item No.: 307
Case No.: 97-307-A
Petitioner: Raymond Graf, et ux

Dear Mr. and Mrs. Graf:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 24, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/06/97

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEB 03, 1997.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 298, 299, 301, 302, (307),
308 AND 310.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881, MS-1102F





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 1-31-97
Item No. 307 (CAM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: January 31, 1997

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 298, 299, 306, (307), and 309

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey M. Long

Division Chief:

Gary L. Kern

PK/JL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Feb 4, 97

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Feb 3rd, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

298

299

300

301

302

304

305

307

RBS:sp

BRUCE2/DEPRM/TXTSBP

PETITION PROBLEMS

#299 --- JCM

1. No zoning indicated on petition form.

#300 --- RT

1. Name of person signing for legal owner is illegible.

#302 --- MJK

1. No legal owner information at all on the petition form. (See memo in the file.)

#304 --- MJK

1. No attorney signature on petition form.

#305 --- JLL

1. Plat says legal owner is "Catherine D. Peak"; petition form says legal owner is "The Sun Company, Inc." -- Which is correct??
2. Need title and authorization of person signing for legal owner. (See memo in the file.)

#306 --- JCM

1. Need name and title of person signing for legal owner.
2. Need address for legal owner.
3. Need telephone number for legal owner.

#307 --- CAM

1. Petition form not properly notarized.

#308 --- JRF

1. No attorney signature on petition form.

#309 --- JRF

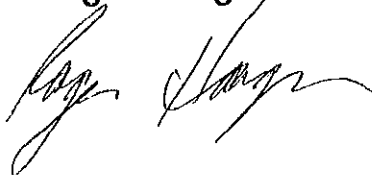
1. Petition says zoning is "M.L."; folder says zoning is "M.L.-I.M." -- Which is correct??
2. No telephone number for legal owner on petition form.
3. No area noted on folder, just "Lot 30 40 50" -- What is correct acreage??
4. Folder not marked "floodplain".

January 16, 1997

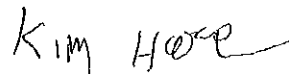
In regard to the addition on #10 Dimely Court, I have no objections to the residential addition. I have seen the plans and lot plot and I don't see any hinderance to my property or dwelling.

Roger & Kim Hargis
8 Dimely Court
Baltimore, Maryland
21220

Roger Hargis

A handwritten signature in cursive script, appearing to read "Roger Hargis".

Kim Hargis

A handwritten signature in cursive script, appearing to read "Kim Hargis".

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 10 Dimey Ct.

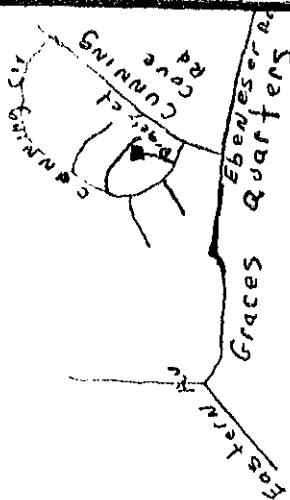
Subdivision name: Bay Country


plat book # 45, folio # 145, lot # 32, section # D.R.2

OWNER: Raymond & Mary Graf

97-307-A

see pages 5 & 6 of the CHECKLIST for additional required information



 North
Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 15th

Councilmanic District: 5

1'-200' scale map: US 7L

Zoning: RE 5.5

Lot size: 0.1440 acreage
6272.64 square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Water Area: ☐ Yes ☒ No

Chesapeake Bay Critical Area:

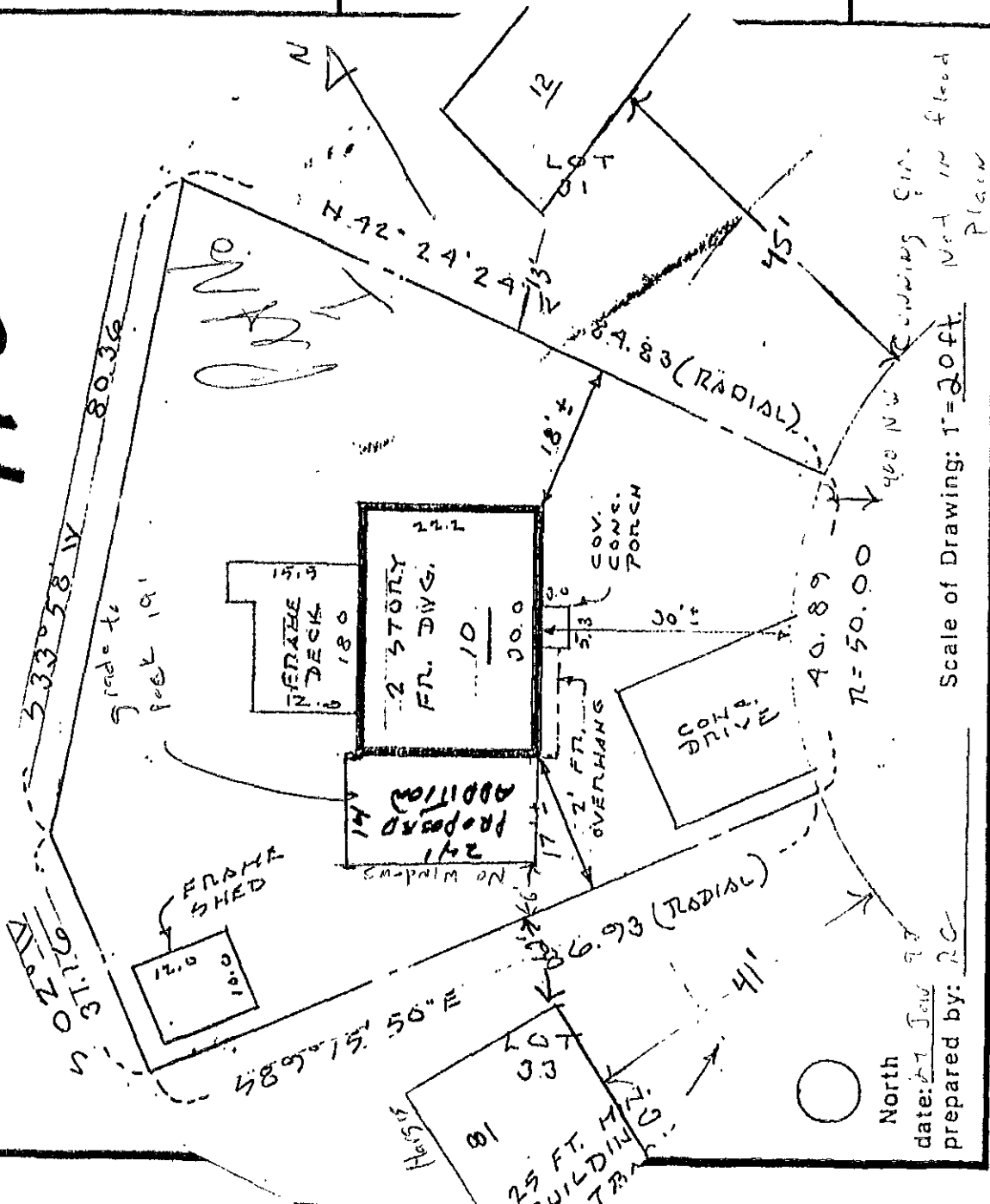
Prior Zoning Hearings:

Viola Kewin

Zoning Office USE ONLY!

Case #	Well #	Reviewed by
3357	1	1

3



Scale of Drawing: $r = 20 \text{ ft.}$

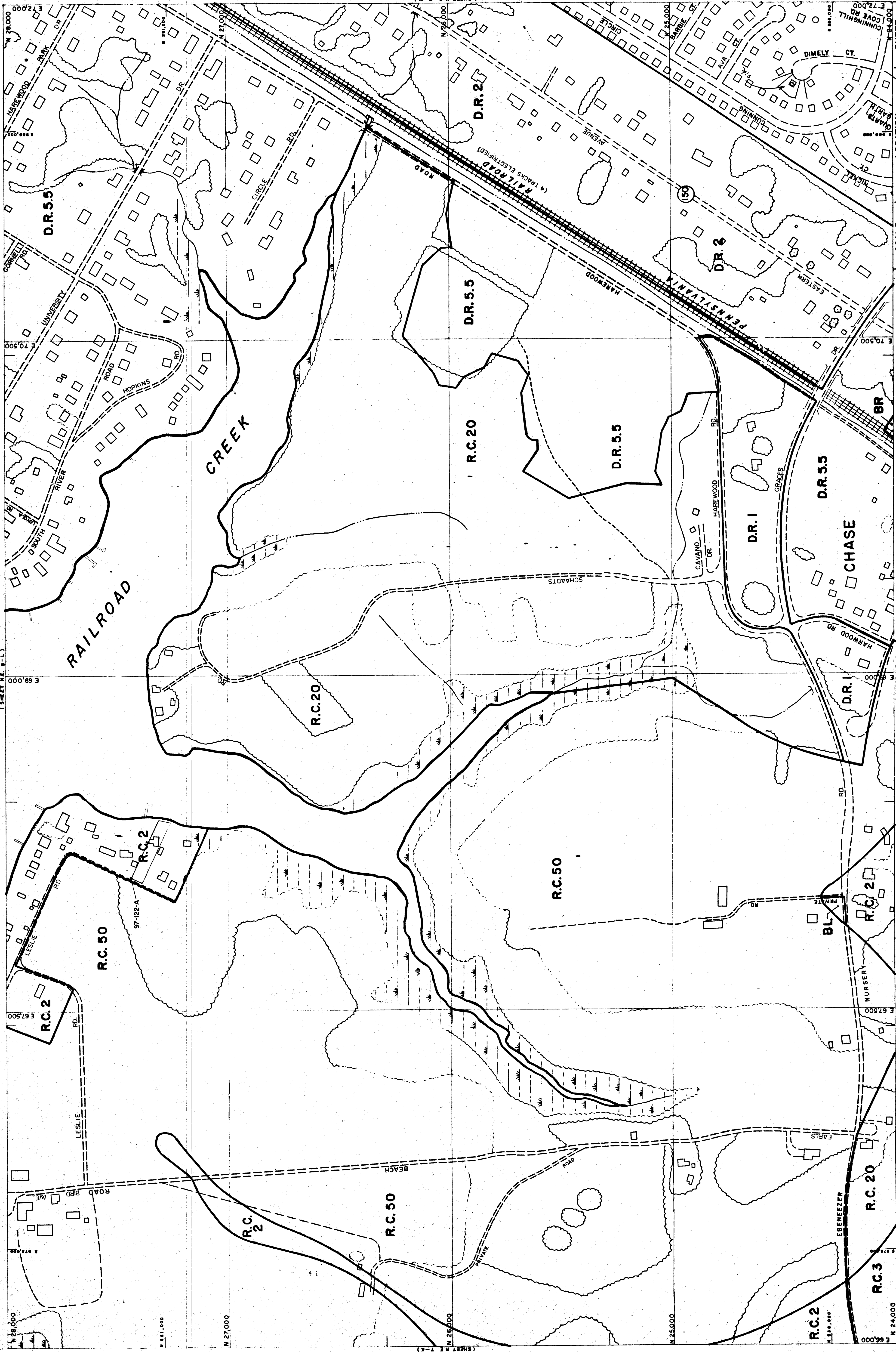
North

date: 27 Jan

prepared by: 2C







19% COMPREHENSIVE ZONING MAP
ADOPTED BY THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 125-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHHEIT-HORN, INC., BALTIMORE, MD. 21210

SCALE
1" = 200' ±

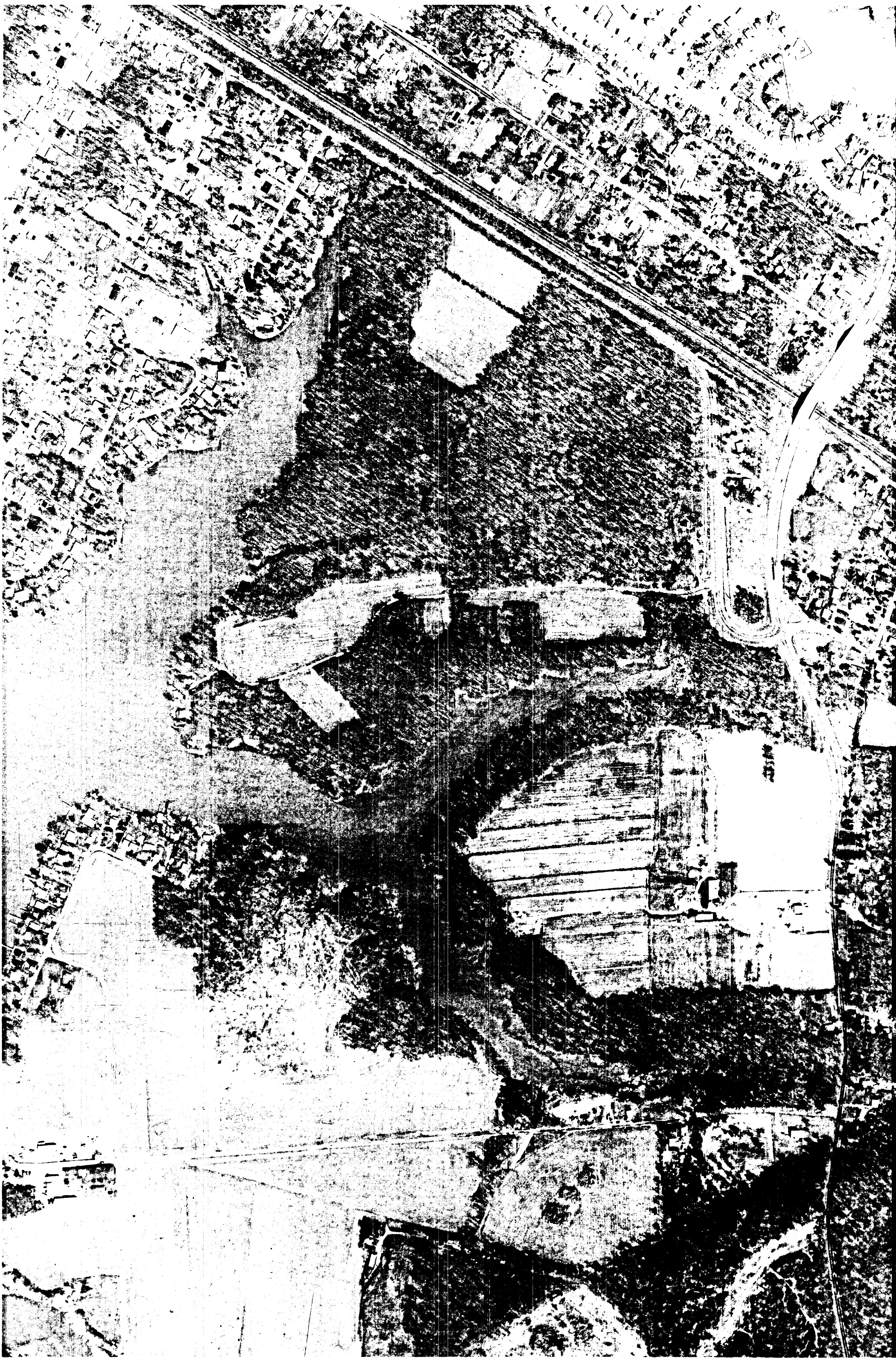
DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
HAREWOOD PARK CHASE

SHEET
N.E.
7-L

91-307A DR. 5.5
301 CAY

MICROFILMED



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 2601

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

97-307A

SCALE	LOCATION	SHEET
1" = 200' ±	HAREWOOD PARK CHASE	MICROFILMED, NE 7-L
DATE		
PHOTOGRAPHY		
JANUARY 1986	307	